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9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,) No. CR 17-00337-01 HSG
14 Plaintiff,) STIPULATION AND ORDER CONTINUING
15 v.) MATTER AND EXCLUDING TIME UNDER THE
16 BANARD LEWIS,) SPEEDY TRIAL ACT
17 Defendant.) Date: October 2, 2017, to October 23, 2017
) Time: 2:00 p.m.
)

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19 The parties appeared before the Honorable Haywood S. Gilliam, Jr. on October 2, 2017, for a
20 status conference. Defense counsel represented that he has received a plea offer from the government
21 and needs additional time to evaluate this offer with his client. The parties requested, and the Court
22 granted, a continuance until October 23, 2017, and the Court set this date for a change of plea. The
23 parties also stipulated, and the Court ordered, that time between October 2, 2017, and October 23, 2017,
24 be excluded for effective preparation of counsel pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv).

25 The parties further stipulate, and ask the Court to find, that the requested continuance and
26 exclusion of time are in the interests of justice and outweigh the best interest of the public and the
27 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

1 SO STIPULATED.

2 DATED: October 3, 2017

BRIAN J. STRETCH
United States Attorney

3
4 /s/

SHEILA A.G. ARMBRUST
Assistant United States Attorney

6
7 DATED: October 3, 2017

/s/

JEROME MATTHEWS
Counsel for Defendant Banard Lewis

9
10 Attestation of Filer

11 In addition to myself, the other signatory to this document is Jerome Matthews. I attest that I
12 have his permission to enter a conformed signature on his behalf and to file the document.

13
14 DATED: October 3, 2017

/s/


SHEILA A.G. ARMBRUST
Assistant United States Attorney

1
2 **ORDER**

3 For the reasons stated, this matter is continued until October 23, 2017, at 2:00 p.m. for change of
4 plea. The time October 2, 2017, and October 23, 2017, is excluded from the running of the speedy trial
5 clock for effective preparation of counsel under 18 U.S.C. § 3161(h)(7)(B)(iv). Failure to grant the
6 continuance would deny the defendant's counsel the reasonable time necessary to prepare, taking into
7 account the exercise of due diligence.

8 IT IS SO ORDERED.

9
10 DATED: October 4, 2017


HONORABLE HAYWOOD S. GILLIAM, JR.
United States District Judge